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**COMMON COUNCIL PROCEEDINGS  
INAUGURAL MEETING**

The Inaugural Meeting was called to order at 11:00 AM by Councilman-at-large Dolce.

Present: Councilmen Michalski, Muldowney, Gonzalez, Councilwoman Szukala and Councilman-at-large Dolce.

Also present: Public Works Director Gugino, City Treasurer Woods, Clerk, Board of Assessors, Personnel Administrator Heyden, CDBG Administrator Gornikiewicz, and Police Chief Ortolano.

Councilman-at-large Dolce led the assemblage in the Pledge of Allegiance, and the National Anthem was sung by Marjorie Bohn.

The Invocation was given by Father Dennis Riter of Saint Elizabeth Ann Seton Church.

Judge Walter Drag administered the Constitutional Oath of Office to Mayor Anthony J. Dolce, accompanied by his wife Jordan, and sons Anthony and Evan.

Judge Walter Drag administered the Constitutional Oath of Office to Councilwoman-at-large Kiyak, Councilmen Michael Michalski, William J. Rivera, Adelino Gonzalez, and Councilwoman Stacy Szukala.

Judge Walter Drag administered the Constitutional Oath of Office to City Treasurer Mark Woods, and Clerk, Board of Assessors Thomas Mleczko.

Newly installed Council Members called to order.

**COMMUNICATIONS:**

Communication from City Treasurer Mark Woods appointing Paula Lakas as Deputy Treasurer from 1/1/2012 to 6/30/2012, 1/1/13 to 6/30/13, and Kathleen Steele from 7/1/12 to 12/31/12 and 7/1/13 to 12/31/13.

Received and filed.

**PRE-FILED RESOLUTIONS:**

**RESOLUTION #1-2012**

January 1, 2012

**By Entire Council:**

**CONSENT TO APPOINTMENT OF CITY CLERK**

**WHEREAS**, Section 2-10.02 of the City Code provides that the City Clerk shall be appointed by the Mayor, with the consent of the Common Council, and

**WHEREAS**, pursuant to Section 2-10.02 of the City Code, Mayor Anthony J. Dolce has appointed Lacy L. Lawrence, Dunkirk, New York, to the position of City Clerk and Registrar of Vital Statistics for the City of Dunkirk, subject to the consent of the Common Council, now, therefore, be it

**RESOLVED**, that Lacy L. Lawrence, be confirmed as City Clerk and Registrar of Vital Statistics for the City of Dunkirk, effective January 1, 2012, at the rate of \$16.00 per hour, not to exceed twenty-five (25) hours per week.

Carried, all voting aye.

Communication from City Clerk Lacy L. Lawrence reappointing Christine McGraw as Deputy City Clerk and Registrar for 2012-2013.

Received and filed.

**RESOLUTION #2-2012**  
**JANUARY 1, 2012**

**By Entire Council:**

**CONSENT TO APPOINTMENT OF CITY ATTORNEY**

**WHEREAS**, Section 2-6.01 of the City Code provides that the City Attorney shall be appointed by the Mayor, with the consent of the Common Council, and

**WHEREAS**, pursuant to Section 2-6.01 of the City Code, Mayor Anthony J. Dolce has appointed Ronald A. Szot, Dunkirk, New York, to the position of City Attorney for the City of Dunkirk, subject to the consent of the Common Council, now, therefore, be it

**RESOLVED**, that Ronald A. Szot, be confirmed as City Attorney for the City of Dunkirk, effective January 1, 2012, at \$70,000.00 per annum, 95% time.

Councilman Michalski questioned if benefits were also offered and Mayor Dolce advised that they were as this was standard.

Councilman Rivera questioned if this was a four year appointment, and Mayor Dolce advised that it's done yearly. Councilman Rivera further questioned if this can be re-evaluated in a year, and was advised by Mayor Dolce that this was at his discretion, but will be doing this on a regular basis.

Councilman Rivera spoke as if this was looked at as running a business, as the salary concerned him from where the city was going to and from right now, but will go with your judgment and communication in the future.

Councilwoman Szukala stated that she also had concerns with this amount and the benefits as the budget was tight to begin with, and the two employees that were going to retire are not, putting the city \$100,000 negative. She further stated that her preference was to keep this part-time even if the hours doubled and pay increased up to \$50,000. Councilwoman Szukala further stated that she had to think of the taxpayers, if they would be happy with this, and therefore stated that she will be voting "no" on this resolution. She also stated that it was not the person in question, but the salary as the city was not in the right frame for this.

Vote on resolution: Ayes: Councilmen Rivera, Gonzalez and Councilwoman-at-large Kiyak. No: Councilman Michalski and Councilwoman Szukala.

Carried. (3-2).

**RESOLUTION #3-2012**  
**January 1, 2012**

**By Entire Council:**

**CONSENT TO APPOINTMENT OF FISCAL AFFAIRS OFFICER**

**WHEREAS**, Section 2-10.02 of the City Code provides that the Fiscal Affairs Officer shall be appointed by the Mayor, with the consent of the Common Council, and

**WHEREAS**, pursuant to Section 2-10.02 of the City Code, Mayor Anthony J. Dolce has appointed Harry D. Briggs, Dunkirk, New York, as an independent contractor, to the position of Fiscal Affairs Officer for the City of Dunkirk, subject to the consent of the Common Council, now, therefore, be it

**RESOLVED**, that Harry D. Briggs, as an independent contractor to the City of Dunkirk, be confirmed as Fiscal Affairs Officer for the City of Dunkirk, effective January 1, 2012, at the rate of \$20.00 per hour for twenty (20) hours per week.

Carried, all voting aye.

**RESOLUTION #4-2012**  
**January 1, 2012**

**By Entire Council:**

**CONSENT TO APPOINTMENT OF DIRECTOR OF PUBLIC WORKS**

**WHEREAS**, Section 2-10.02 of the City Code provides that the Director of Public Works shall be appointed by the Mayor, with the consent of the Common Council, and

**WHEREAS**, pursuant to Section 2-10.02 of the City Code, Mayor Anthony J. Dolce has appointed Anthony Gugino, Dunkirk, New York, to the position of Director of Public Works for the City of Dunkirk, subject to the consent of the Common Council, now, therefore, be it

**RESOLVED**, that Anthony Gugino, be confirmed as Director of Public Works for the City of Dunkirk, effective January 1, 2012, at \$58,000.00 per annum.

Carried, all voting aye.

**RESOLUTION #5-2012**  
**January 1, 2012**

**By Entire Council:**

**CONSENT TO APPOINTMENT OF  
DIRECTOR OF PLANNING AND DEVELOPMENT**

**WHEREAS**, Section 2-10.02 of the City Code provides that the Director of Planning and Development shall be appointed by the Mayor, with the consent of the Common Council, and

**WHEREAS**, pursuant to Section 2-10.02 of the City Code, Mayor Anthony J. Dolce has appointed Steven R. Neratko, Dunkirk, New York, to the position of Director of Planning and Development for the City of Dunkirk, subject to the consent of the Common Council, now, therefore, be it

**RESOLVED**, that Steven R. Neratko, be confirmed as Director of Planning and Development for the City of Dunkirk, effective January 1, 2012, at \$50,000.00 per annum.

Carried, all voting aye.

**RESOLUTION #6-2012**  
**January 1, 2012**

**By Entire Council:**

**ESTABLISHING PAYROLL PROCEDURE**

**RESOLVED**, that the salaries of all officials and employees of the City of Dunkirk be paid weekly on the Thursday following the pay period, and that the City Treasurer be hereby authorized to draw a general payroll check to be deposited in the payroll fund, and be directed to draw warrants from the payroll fund at the prevailing rates in payment of the same upon receiving the duly certified payroll.

Carried, all voting aye.

**RESOLUTION #7-2012**

**January 1, 2012**

**By Entire Council:**

**BOND PAYMENT AUTHORIZATION**

**RESOLVED**, that the City Treasurer be and hereby is authorized and directed to draw warrants on the proper funds to cover payments of principal and interest of bonds as they mature.

Carried, all voting aye.

**RESOLUTION #8-2012**

**January 1, 2012**

**By Entire Council:**

**ESTABLISHING OFFICIAL DEPOSITORIES**

**RESOLVED**, that the Fleet Bank/Bank of America, the HSBC Bank, the Key Bank, the Community Bank, the Manufacturers and Traders Trust Co., and the Chase Bank, be and hereby are designated depositories for all monies and funds belonging to the City of Dunkirk or which shall be received by the City Treasurer from any and all sources during the years 2012 and 2013, it being understood that all monies referred to above shall be deposited with the City Treasurer, subject to withdrawal as provided for in the Charter of the City of Dunkirk.

Carried, all voting aye.

**RESOLUTION #9-2012**

**January 1, 2012**

**By Entire Council:**

**ESTABLISHING CASH MANAGEMENT AND INVESTMENTS POLICY**

**RESOLVED**, that this Common Council hereby adopts the Cash Management and Investments Policy adopted by the Common Council on January 1, 1988, and amended on January 1, 1990, for the years 2012 and 2013, as recommended by the New York State Department of Audit and Control.

Carried, all voting aye.

**RESOLUTION #10-2012**

**January 1, 2012**

**By Entire Council:**

**DESIGNATION OF OFFICIAL CITY NEWSPAPER**

**RESOLVED**, that the Observer, published in the City of Dunkirk, New York, is hereby designated as the official newspaper of the City of Dunkirk, New York for the years 2012 and 2013.

Carried, all voting aye.

**RESOLUTION #11-2012**  
**January 1, 2012**

**By Entire Council:**

**DESIGNATION OF OFFICIAL CABLE TV STATION**

**RESOLVED**, that Cable Access Channel 12, overseen by the Cable Television Advisory Board, in the City of Dunkirk, New York, is hereby designated as the official Cable TV Station of the City of Dunkirk, New York for the years 2012 and 2013.

Carried, all voting aye.

**RESOLUTION #12-2012**  
**January 1, 2012**

**By Entire Council:**

**PROCEDURES FOR JANUARY 2012 MEETINGS**

**RESOLVED**, that the regular Common Council meetings in January, 2012 be held on January 3rd and January 17th, and be it further

**RESOLVED**, that prefilng for the January 17th meeting will be January 12th.

Carried, all voting aye.

**RESOLUTION #13-2012**  
**January 1, 2012**

**By Entire Council:**

**RULES OF ORDER OF THE COMMON COUNCIL**

The following rules shall be the rules of order of the Common Council and shall govern proceedings of this Body subject to controlling provisions of the Charter of the City of Dunkirk:

**I. MEETINGS.**

1. The regular meetings of the Common Council shall be held the first and third Tuesday of every month at 6:00 P.M.<sup>1</sup> in the Common Council Chambers in the City Hall, unless changed at a prior meeting. Preview workshops shall be convened at 5:30 PM on the day of each regular meeting.
2. Special meetings of the Common Council shall be called in accordance with Article IV, Section 4.05 of the City Charter.
3. At all public hearings held by the Council and any other meetings of the Council, when requested by the Presiding Officer, the Chief of Police shall designate one of his uniformed officers to the Council Chambers to act as a Sergeant-at-Arms.

**II. QUORUM.**

1. A majority of the whole number of Councilmen shall constitute a quorum as provided by Article IV, Section 4.04 of the City Charter.

**III. PRESIDING OFFICER.**

1. The Councilman-at-Large shall be the presiding officer of the Common Council. In the event of the absence of the presiding officer, the other members of the Council may appoint one of their number to preside.

**IV. ORDER OF BUSINESS.**

1. Call to order, roll call, and pledge of allegiance to the flag.
2. Approval of the minutes of previous meeting. (Certification of prior meeting.)
3. Privilege of the floor.
4. Communications from the Mayor, including disapproval messages.
5. Communications from the public and petitions.
6. Reports of Standing Committees, Boards and Commissions.

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<sup>1</sup> Time of meeting changed to 7:00 pm by DCC Res #170-98 on 11-17-98. Time of meeting changed to 6:00 pm by DCC Res #62-2010 on 9-21-10.

7. Unfinished business, including items referred to Department Heads.
8. Pre-filed Resolutions.
9. New Business.
10. Adjournment.

**V. PUBLIC PRIVILEGE OF THE FLOOR.**

1. The privilege of the floor shall be extended to any person appearing for himself, in which case each individual appearing shall be limited to three

minutes; and to any person representing any group, who shall be limited to a maximum time of five minutes.

2. The City Clerk shall have the duty of maintaining such time limits, and the Chairman may determine, in his discretion, whether individuals are speaking for themselves or representing groups. The Chairman shall maintain good order and may require any speaker to cease speaking if remarks are made in bad taste or are slanderous or not germane to any action taken or contemplated by the Council. The time limits specified above shall be adhered to, except that the Chairman may allow any person speaking to complete a statement or thought started before such time expires, and a longer time may be allowed by the Chair with approval of a majority of the Council.

#### **VI. RESOLUTIONS.**

1. The term "resolution" shall mean a formal written or oral proposed action bearing the name of the sponsoring member of the Common Council. A resolution may be sponsored by any member of the Common Council except the presiding officer.
2. Each resolution, except oral resolutions, must be filed with the City Clerk no later than 5:00 P.M. of the Thursday preceding regularly scheduled meetings. Action upon pre-filed resolutions shall not require a second.
3. Any resolution not pre-filed with the City Clerk may be acted upon only after a second. In the event there be no second, said resolution shall be laid on the table for consideration as a pre-filed resolution at the next regular meeting.
4. Motions to lay on the table shall always be in order and shall be decided without a second or debate.

#### **VII. RULES OF VOTING.**

1. All members of the Common Council present shall vote upon every question, except that a Councilman may abstain from voting with permission from a majority of the Council because of a direct interest in the questions presented.

#### **VIII. AGENDA.**

1. The City Clerk shall prepare an Agenda of each regularly scheduled Common Council meeting, including pre-filed resolutions, and have delivered a copy thereof to each member of the Common Council no later than the Monday preceding regularly scheduled meetings. The Clerk shall cause a copy of the Agenda to be printed in the local newspaper and posted on the bulletin board in City Hall no later than one day prior to the date of the regular meeting.
2. No Agenda need be prepared or submitted to the Common Council for any Special Meeting of the said governing body.

#### **IX. COMMUNICATIONS FROM THE PUBLIC AND PETITIONS.**



1. All written communications should be submitted to the City Clerk's Office and may be addressed to a specific member of the Council. Said written communications must bear a signature.
2. Written communications should not exceed more than 100 words in length.
3. Council shall retain the right to table any action in reference to Communication, for further consideration.
4. Council may refuse to have read any communication considered in poor taste or language.
5. All communications must be received by the City Clerk's Office on Thursday, prior to the scheduled meeting.

#### **X. MISCELLANEOUS.**

1. All pre-filed resolutions, communications, reports and items referred to Department Heads directed to the Common Council must be submitted to the City Clerk not later than 5:00 P.M. of the Thursday preceding regularly scheduled meetings in order to be considered at such meeting. Copies shall be made and delivered to each member of the Common Council no later than the Monday preceding regularly scheduled meetings. Any items not received by 5:00 P.M. on Thursday preceding regularly scheduled meetings shall be held for the next regular meeting.
2. The Clerk shall summarize communications and present to the Council for action thereon.
3. All correspondence and communications not germane to the meeting shall not be read by the Clerk, but copies made thereof and sent to each member of the Council. (Monthly reports of Department Heads, etc.)
4. The Clerk shall note the receipt of all communications and the decisions thereon.
5. The Clerk will send minutes of Council meetings to members of the Council within three (3) business days after such meetings.
6. At the organizational meeting of each Common Council to be held on January 1<sup>st</sup> of every even-numbered year, the Council, by resolution, shall appointed two members of the Council, one of whom shall be designated the Chairman, to each of the following Standing Committees:
  - (a) Finance, Insurance and Property;
  - (b) Personnel, Judicial and General Welfare, Recreation, Library, Regional Planning;
  - (c) Public Works, Streets, Sidewalks, Public Utilities, Parks, Harbor, Buildings, and Transportation;
  - (d) Public Safety, Fire, Police, Emergency Action;
  - (e) Economic Development (added 1/1/86).
7. Except as otherwise provided herein and in the Charter of the City of Dunkirk, the proceedings of the Common Council shall be governed by the Roberts Rules of Order.
8. **FINANCE COMMITTEE POLICY/PROCEDURE<sup>2</sup>**

Any resolutions that are within the purview of the Finance Committee, for which full Common Council action is requested, must first be presented to and reviewed by the Council's standing Finance Committee.

The Finance Committee shall convene a regular meeting, on the second and fourth Monday of the month, as needed prior to pre-file Thursday. [Amended on 02-29-08 as L.L. #1-2008]

There are adequate opportunities to present any relevant information to the Finance Committee without having to delay any necessary action or to bottleneck City operations.

Any matters/resolutions that need action on an emergency nature may be brought to the Common Council, either as "prefiled" or as "new business." However, an explanation to the Council of the emergency nature of the matter to be considered must be provided.

Before such items are to be considered, the emergency nature should be described and agreed to by a majority of the Common Council.

Matters that need to be presented to the Finance Committee for approval shall include, but not be limited to:

- (a) Resolutions dealing with the expenditure or receipt of funds, including the hiring of contractor, vendors, etc.;
- (b) The transfer of funds between and among accounts;
- (c) The establishing of new accounts.

<sup>2</sup> Added by DCC Res#60-98 on 4-7-98

Carried, all voting aye.

**RESOLUTION #14-2012**  
**January 1, 2012**

**By Entire Council:**

**ESTABLISHING STANDING COMMITTEES**

**RESOLVED**, that for the years 2012 and 2013, the Committees of the Dunkirk Common Council shall be as follows:

**FINANCE, INSURANCE AND PROPERTY**

Councilman Michalski, Chairman  
Councilwoman Szukala  
Councilwoman-at-Large Kiyak

**PERSONNEL, JUDICIAL & GENERAL  
WELFARE, RECREATION, LIBRARY  
REGIONAL PLANNING**

Councilman Rivera, Chairman  
Councilman Michalski  
Councilwoman-at-Large Kiyak

**PUBLIC WORKS, STREETS, SIDEWALKS,**  
Chairman

Councilman Gonzalez,

**PUBLIC UTILITIES, PARKS, HARBOR,  
BUILDINGS AND TRANSPORTATION**

Councilwoman Szukala  
Councilman Michalski

**PUBLIC SAFETY, FIRE, POLICE  
EMERGENCY ACTION**

Councilwoman Szukala, Chairman  
Councilman Rivera  
Councilman Gonzalez

**ECONOMIC DEVELOPMENT**

Kiyak,

Councilwoman-at-Large

Chairman  
Councilman Rivera  
Councilman Gonzalez

**APPOINTMENT TO LIBRARY  
BOARD OF DIRECTORS**

Councilwoman Szukala

**APPOINTMENT TO DLDC**

Councilwoman-at-Large Kiyak

Carried, all voting aye.

Mayor Anthony J. Dolce's Inaugural address as follows:

"Welcome Family, Friends, and Guests. I'd like to recognize Judge Walter Drag, Father Dennis Riter, Rev. Carlos Llera, Marjorie Bohn, all Elected Officials and Department Heads for being a part of today's ceremonies.

I am proud to stand before you today as Mayor of Dunkirk. I began serving on the Common Council and wanted to serve the City as Mayor because I truly believe this community has the tools, knowledge, desire and ability to make Dunkirk better.

I believe we understand the challenges Dunkirk faces and can work cooperatively, wisely, and creatively to reverse the trend and make Dunkirk a more dynamic City.

It's what Dunkirk can be once again that is the primary reason that I, and I believe the Common Council have become involved in City government...being part of the solution through serving the City through elective office.

Certainly there is no shortage of opinions regarding who, or what is to blame for the problems Dunkirk finds itself in. Some would even say that Dunkirk has seen "better days". This is partially due to factors outside the City's control.

Families and businesses - large and small are feeling the strains and pressures. It seems that no one individual or group is immune to making due with fewer resources.

It is important to recognize and acknowledge that the challenges the City faces weren't created overnight; nor will they be solved overnight.

The loss of family-sustaining jobs and declining household income, and the resulting population exodus have been problems for decades. Just because we've been dealt a difficult hand doesn't mean things are beyond hope or repair.

I ran for Mayor of Dunkirk because I believe in this City and its residents.

I also believe many factors are within our collective control. I feel that by recognizing we share some common responsibility, we take the first step in moving Dunkirk forward.

It's being aware of these challenges and facing them openly and head-on, with realistic expectations and clear goals that we can work to revitalize and reinvigorate the City.

While I cannot predict when that will occur-I **can** and I **will** pledge to the citizens and families of Dunkirk.

I **pledge** to you that each and every day my Administration will work tirelessly toward making the right decisions to improve the quality of life in Dunkirk.

We will address the issues of housing stock, infrastructure, and transparency, that so many of you brought out during the election by working closely with Department Heads and Council. Together, we WILL keep you informed.

I **pledge** to you that we will work cooperatively to provide cost-effective, responsive services to the residents and taxpayers of Dunkirk.

I **pledge** to you that we will work diligently to be proactive and develop both immediate and long term goals, timelines, and realistic plans so that Dunkirk can move away from reactionary decisions and practices.

**So**, where are we going and how do we get there?

This has to start with a lot of little successes that in time form a cohesive program of larger accomplishments.

I believe that first step was taken when the Council passed a budget that objectively addresses the needs and available resources of City taxpayers and rate payers.

However; passing a budget is just the first step, as it is only the initial plan for action.

We must now move forward and live within our means, while making adjustments to improve our fiscal efficiency throughout the year.

That process will only be enhanced by the players who have a role in the vibrancy of the city--the elected Officials and Administration, our valuable employees, taxpayers and residents, community groups and organizations--each play a role in shaping the future of Dunkirk.

I **pledge** that I, along with the input from Department Heads, Council, and the public will continue to re-assess and re-evaluate the budget throughout the year and my term.

As we work to get our house back in order, I pledge that we will **intensify** our efforts to work with other communities. We will strive for **real** progress at a cooperative effort to streamline and economize, and regionalize and share...expertise, resources and development.

A major focus will be the development of a truly regional water system...a system that utilizes the tremendous infrastructure we have in place. Our goal will be to eliminate the duplication of services and expenditures in the millions of dollars that already occurs.

I am **confident** we can make substantial progress in this and other endeavors. I believe a partnership will be forged between my Administration and this Common Council, **enabling** us to work cooperatively toward common goals on a united front.

The newly elected members on the Council--Stephanie, Bill and Andy bring a level of enthusiasm and vision that is exciting. The seasoned perspective, knowledge and years of experience Mike and Stacy bring creates a unique blend of skills, abilities and viewpoints that will serve the taxpayers well.

I look forward to a positive, respectful and productive relationship with the Council on the many issues we must face and address together.

Before I close, I would like to extend my sincere thanks to everyone here today. I would especially like to thank my wife, children, family, friends, fellow Elected Officials and all the individuals in the community I worked closely with while on Council **AND** most importantly the taxpayers and residents of Dunkirk.

It was a privilege to meet and speak with so many of you during the campaign. To all I have mentioned, your unwavering support, guidance and assistance have been truly remarkable and I thank you.

I know that everyone here today, from City Officials to guests shares in my goal to see Dunkirk move forward.

It won't be easy, and frustration will no doubt be a part of the process. I am confident the Collective desire to face the issues and work together will be the **key** to our success. And, that commitment begins with me.

Finally, I pledge to work each and every day to make Dunkirk a better place to live, work and raise a family.

Thank You"

The Benediction was given by Rev. Carlos Llera, Iglesia Getsemani Assembly of God Church, and the musical arrangement of God Bless American was by Marjorie Bohn.

Councilwoman-at-large Kiyak announced that a reception would be held at Blessed Mary Angela Social Center on Townsend Street

Councilman Gonzalez moved to adjourn. Seconded by Councilwoman Szukala.

Carried, all voting aye.

**Adjourned at 11:35 AM**

**Lacy Lawrence, City Clerk**

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